

Appl. No. : 10/785,572  
Filed : February 24, 2004

### REMARKS

Upon entry of the foregoing amendments, Claims 2, 4-13 and 15-28 remain pending in the above-identified application. Applicants have amended Claims 4, 12, 15, 19 and 26.

#### Claim Objections

The Examiner objected to Claim 15 as reciting "inducing," which the Examiner believes should be -- including --. Applicants have amended Claim 15 to correct this inadvertent typographical error.

#### Rejection of the Claims Under 35 U.S.C. § 112

Claims 4, 12, 19, 26 stand rejected under 35 U.S.C. § 112, ¶2, as being "incomplete for omitting essential structural cooperative relationships or elements, such omission amounting to a gap between the necessary structural connections." Office Action, paragraph 2. Applicants have amended Claims 4, 12, 19 and 26 to further define the claims and provide the interrelationship between claim elements of each of these claims. Accordingly, Applicants respectfully submit that they have overcome this rejection and request withdrawal of the same.

#### Rejection of the Claims Under 35 U.S.C. § 103

Claims 2, 3, and 5-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowen (US 5,493,482) in view of Moisin (US 6,236,168) and further in view of Baggio (US 5,301,093). Applicants previously canceled Claim 3 and therefore consider the rejection of this claim to be moot. Applicants respectfully traverse these rejections.

Claims 2, 5-8, 13, 15, 17, 18, 20-24, 27 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowen in view of Moisin, further in view of Baggio, and further in view of Meredith et al. (US 3,953,768). Applicants respectfully traverse these rejections.

In the Office Action, the Examiner also rejected the claims under 35 U.S.C. § 103 as being unpatentable over Bowen in view of Moisin and further in view of Baggio, or Bowen in view of Moisin, further in view of Baggio, and further in view of Meredith. The Examiner states that "[i]t would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Bowen's fluorescent lamps with twin tube PL fluorescent lamps as taught by Baggio and further modify the switch of Bowen's switch with switches taught by Meredith for the purpose of energizing and controlling two or more parallel connected PL fluorescent lamps." Office Action, pages 3-4. Though the Examiner cites Moisin in the rejection, the Examiner

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provides no discussion of Moisin in the Office Action with respect to any of the above-identified claims.

After carefully reviewing each of the references cited by the Examiner, Applicants note that none of these references either by themselves or in combination disclose the concept of a solid-state ballast circuit that includes at least one pair of oscillating transistors that are adapted to provide regulated power to start and operate the multiple twin-tube PL Fluorescent lamps as claimed by the Applicant in Claim 2 as amended. The primary distinction between the Applicants' invention as defined by the claims of the application and the art of record is that multiple lamps in a handheld light product are being initiated and operated by a solid-state ballast circuit which uses at least one pair of transistors that oscillate so as to regulate the power provided to the multiple fluorescent lamp or to otherwise limit the current provided to the multiple fluorescent lamp.

By using the oscillating transistor pair, rather than an open core and coil ballast, the weight of the hand-held device can be reduced which thereby allows the use of multiple fluorescent lamps in a handheld device at a weight that is acceptable to the average consumer. In contrast, Bowen, Baggio and Meredith use an open core and coil ballast, generally comprised of a single large transformer in order to regulate the power that is provided to the lamp. For example, Bowen does not disclose any electronic circuitry and, therefore, does not teach or suggest the desirability of limiting current to the lamps through the use of an oscillating pair of transistors. Similarly, Baggio talks about using a conventional ballast (*See, e.g.*, Column 3, Lines 31-34). Moreover, with respect to Meredith, again, the current that is being provided to the lamps is being regulated by the ballast transformer 14 rather than an oscillating pair of transistors in the manner claimed by the Applicant. The circuit 42 is not a ballast circuit which limits current, rather it is a voltage sensing circuit 42 that shuts off the lamp when the batteries are becoming discharged (*See, e.g.*, Column 5, Lines 2-7).

With respect to Moisin, this reference discloses "a circuit arrangement that provides a voltage level that is sufficient to strike a lamp while not requiring a current flow when a lamp is removed from the circuit," so as to not waste power by having current flowing through the circuit paths in which no lamp is connected (*See e.g.*, Column 8, lines 20-30). Moisin does not provide a solid-state ballast circuit which uses at least one pair of transistors that oscillate so as to

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regulate the power provided to the multiple fluorescent lamps or to otherwise limit the current provided to the multiple fluorescent lamps.

As such, none of the references cited by the Examiner disclose the same type of solid state ballast circuit that is claimed by the Applicant and, thus, none of these lamps are the same type of light-weight handheld lamp as claimed by the Applicant. As such, the Applicant believes that independent Claims 2, 10, 15 and 22 are allowable over the art of record. Claims 4-9, 11-13, 16-21 and 23-28 depend from Claims 2, 10, 15 and 22, respectively, and would likewise be allowable over the cited art, not only because they depend from an allowable base claim, but also because each of these claims recites a unique combination of features not taught in the cited art.

#### Claims 10 and 11

Applicants have amended Claims 10 and 11 to incorporate the limitations introduced by the Examiner's Amendment dated April 11, 2006.

#### Claims 10 and 25

The Examiner provided no rejection or discussion of Claims 10 and 25. Therefore, Applicants believe Claims 10 and 25 have been deemed allowable.

### **CONCLUSION**

Applicants respectfully submit that the claims are in condition for allowance in view of the above remarks. Any remarks in support of patentability of one claim, however, should not be imputed to any other claim, even if similar terminology is used. Additionally, any remarks referring to only a portion of a claim should not be understood to base patentability on that portion; rather, patentability must rest on each claim taken as a whole. Applicants respectfully traverse each of the Examiner's rejections and each of the Examiner's assertions regarding what the prior art shows or teaches, even if not expressly discussed herein. Although amendments have been made, no acquiescence or estoppel is or should be implied thereby. Rather, the amendments are made only to expedite prosecution of the present application, and without prejudice to presentation or assertion, in the future, of claims on the subject matter affected thereby. Applicants also have not presented arguments concerning whether the applied references can be properly combined in view of, among other things, the clearly missing elements

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noted above, and Applicants reserve the right to later contest whether a proper motivation and suggestion exists to combine these references.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney, in order to resolve such issues promptly.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance, and Applicants respectfully request that a Notice of Allowance be issued at the earliest opportunity.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

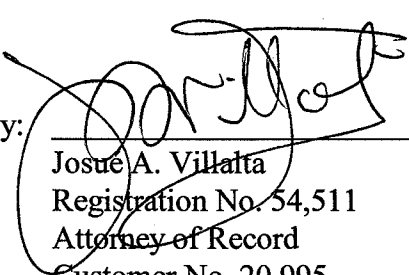
Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: \_\_\_\_\_

Feb. 5, 2007

By: \_\_\_\_\_

  
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